

**UNOFFICIAL VERSION**

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**THURSDAY, JANUARY 18, 2018**

**FORTY-SECOND LEGISLATIVE DAY**

**CALL TO ORDER**

The Senate met at 8:30 a.m., and was called to order by Mr. Speaker McNally.

**PRAYER**

The proceedings were opened with prayer by Senator Southerland.

**PLEDGE OF ALLEGIANCE**

Senator Southerland led the Senate in the Pledge of Allegiance to the Flag.

**SALUTE TO THE FLAG OF TENNESSEE**

Senator Southerland led the Senate in the Salute to the Flag of Tennessee.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 30

Senators present were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Mr. Speaker McNally--30.

**COMMUNICATION**

January 22, 2018

Lt. Governor Randy McNally  
425 5th Avenue North  
Suite 700 Cordell Hull Bldg.  
Nashville, TN 37243

Dear Speaker McNally:

Please excuse me from the legislative Session I missed on January 18, 2018. Childcare and transportation issues prevented me from arriving to Session before the 8:45 a.m. adjournment.

Best,

/s/ Jeff Yarbrow

APPROVED: Lieutenant Governor  
Randy McNally

**MOTION**

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 1639 through 1646** be passed on first consideration, which motion prevailed.

**INTRODUCTION OF BILLS**

The Speaker announced the following bills were filed for introduction and passed first consideration:

**Senate Bill No. 1639** by Senator Yager.

Motor Vehicles -- As introduced, authorizes off-highway vehicles to be operated on State Route 329 in Morgan County within the jurisdiction of the City of Sunbright. Amends TCA Section 55-8-185.

**Senate Bill No. 1640** by Senator Yager.

Tickets, Admission -- As introduced, reduces the number of days certain nonprofit corporations have to refund amounts paid to purchase a ticket for a performance or event upon cancellation of the performance or event due to a natural disaster from 180 days to 120 days after the cancellation of a performance or event. Amends TCA Title 39; Title 47 and Title 67.

**Senate Bill No. 1641** by Senators Gardenhire and Gresham.

Special License Plates -- As introduced, requires that one-half of the revenue allocated to the Tennessee arts commission from the sale of new specialty earmarked license plates be distributed as grants for the purpose of hiring art teachers in priority schools; designates any remaining balance for the purchase of art supplies. Amends TCA Title 55, Chapter 4, Part 2 and Title 55, Chapter 4, Part 3.

**Senate Bill No. 1642** by Senator Gardenhire.

TennCare -- As introduced, directs the bureau of TennCare to submit a state plan amendment establishing a payment methodology for blood clotting factors for certain TennCare enrollees. Amends TCA Title 71, Chapter 5, Part 1.

**Senate Bill No. 1643** by Senator Massey.

Domestic Violence -- As introduced, changes definition of when a judge must notify a defendant who has been convicted of domestic assault of certain consequences of conviction from the federal law domestic abuse definition to both the federal and Tennessee law definitions. Amends TCA Section 39-13-111.

**Senate Bill No. 1644** by Senator Harris.

Victims' Rights -- As introduced, requires a victim of a crime be notified when a defendant is scheduled to be transferred to a correctional complex with lower security designation instead of after the defendant is transferred. Amends TCA Title 40, Chapter 38, Part 1.

**Senate Bill No. 1645** by Senator Harris.

Courts, Juvenile -- As introduced, specifies that service of process in any juvenile court proceeding may be completed by a sheriff, constable, or private process server. Amends TCA Title 8, Chapter 8; Title 36 and Title 37.

**Senate Bill No. 1646** by Senator Yager.

Telecommunications -- As introduced, authorizes a cooperative to access certain property for purposes of supplying telecommunications and broadband internet services. Amends TCA Title 65.

**MOTION**

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 1574 through 1638** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

**SENATE BILLS ON SECOND CONSIDERATION**

The Speaker announced the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

**Senate Bill No. 1574** referred to the Committee on Judiciary.

**Senate Bill No. 1575** referred to the Committee on State and Local Government.

**Senate Bill No. 1576** referred to the Committee on State and Local Government.

**Senate Bill No. 1577** referred to the Committee on State and Local Government.

**Senate Bill No. 1578** referred to the Committee on State and Local Government.

**Senate Bill No. 1579** referred to the Committee on State and Local Government.

**Senate Bill No. 1580** referred to the Committee on Judiciary.

**Senate Bill No. 1581** referred to the Committee on State and Local Government.

**Senate Bill No. 1582** referred to the Committee on State and Local Government.

**Senate Bill No. 1583** referred to the Committee on Government Operations.

**Senate Bill No. 1584** referred to the Committee on Government Operations.

**Senate Bill No. 1585** referred to the Committee on State and Local Government.

**Senate Bill No. 1586** referred to the Committee on Judiciary.

**Senate Bill No. 1587** referred to the Committee on Judiciary.

**Senate Bill No. 1588** referred to the Committee on Transportation and Safety.

**Senate Bill No. 1589** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 1590** referred to the Committee on Commerce and Labor.

**Senate Bill No. 1591** referred to the Committee on State and Local Government.

**Senate Bill No. 1592** referred to the Committee on State and Local Government.

**Senate Bill No. 1593** referred to the Committee on Judiciary.

**Senate Bill No. 1594** referred to the Committee on State and Local Government.

**Senate Bill No. 1595** referred to the Committee on State and Local Government.

**Senate Bill No. 1596** referred to the Committee on State and Local Government.

**Senate Bill No. 1597** referred to the Committee on State and Local Government.

**Senate Bill No. 1598** referred to the Committee on State and Local Government.

**Senate Bill No. 1599** referred to the Committee on Judiciary.

**Senate Bill No. 1600** referred to the Committee on State and Local Government.

**Senate Bill No. 1601** referred to the Committee on Judiciary.

**Senate Bill No. 1602** referred to the Committee on Judiciary.

**Senate Bill No. 1603** referred to the Committee on Commerce and Labor.

**Senate Bill No. 1604** referred to the Committee on Energy, Agriculture and Natural Resources.

**Senate Bill No. 1605** referred to the Committee on Education.

**Senate Bill No. 1606** referred to the Committee on Education.

**Senate Bill No. 1607** referred to the Committee on Transportation and Safety.

**Senate Bill No. 1608** referred to the Committee on Judiciary.

**Senate Bill No. 1609** referred to the Committee on Commerce and Labor.

**Senate Bill No. 1610** referred to the Committee on State and Local Government.

**Senate Bill No. 1611** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 1612** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 1613** referred to the Committee on Commerce and Labor.

**Senate Bill No. 1614** referred to the Committee on State and Local Government.

**Senate Bill No. 1615** referred to the Committee on Commerce and Labor.

**Senate Bill No. 1616** referred to the Committee on Education.

**Senate Bill No. 1617** referred to the Committee on Education.

**Senate Bill No. 1618** referred to the Committee on Education.

**Senate Bill No. 1619** referred to the Committee on Education.

**Senate Bill No. 1620** referred to the Committee on State and Local Government.

**Senate Bill No. 1621** referred to the Committee on Education.

**Senate Bill No. 1622** referred to the Committee on Education.

**Senate Bill No. 1623** referred to the Committee on Education.

**Senate Bill No. 1624** referred to the Committee on Education.

**Senate Bill No. 1625** referred to the Committee on Education.

**Senate Bill No. 1626** referred to the Committee on Education.

**Senate Bill No. 1627** referred to the Committee on Education.

**Senate Bill No. 1628** referred to the Committee on Education.

**Senate Bill No. 1629** referred to the Committee on Education.

**Senate Bill No. 1630** referred to the Committee on State and Local Government.

**Senate Bill No. 1631** referred to the Committee on Commerce and Labor.

**Senate Bill No. 1632** referred to the Committee on Health and Welfare.

**Senate Bill No. 1633** referred to the Committee on Judiciary.

**Senate Bill No. 1634** referred to the Committee on Commerce and Labor.

**Senate Bill No. 1635** referred to the Committee on State and Local Government.

**Senate Bill No. 1636** referred to the Committee on Commerce and Labor.

**Senate Bill No. 1637** referred to the Committee on Judiciary.

**Senate Bill No. 1638** referred to the Committee on Judiciary.

### **MOTION**

Senator Norris moved, pursuant to Rule 21, **House Joint Resolution No. 596; Senate Joint Resolutions Nos. 486 through 494; and Senate Resolutions Nos. 144 and 145** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

### **RESOLUTIONS LYING OVER**

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

**House Joint Resolution No. 596** -- Memorials, Sports -- Sophia Schubert, 2017 U.S. Women's Amateur Golf Tournament Champion.

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The Speaker announced that he had referred House Joint Resolution No. 596 to the Committee on Calendar.

**Senate Joint Resolution No. 486** -- Memorials, Death -- Dr. Burgin H. Wood.

The Speaker announced that he had referred Senate Joint Resolution No. 486 to the Committee on Calendar.

**Senate Joint Resolution No. 487** -- Memorials, Death -- Glenn John Chaple.

The Speaker announced that he had referred Senate Joint Resolution No. 487 to the Committee on Calendar.

**Senate Joint Resolution No. 488** -- Memorials, Death -- Don McMurray.

The Speaker announced that he had referred Senate Joint Resolution No. 488 to the Committee on Calendar.

**Senate Joint Resolution No. 489** -- Memorials, Death -- Wester Doyle "Bud" Chapman.

The Speaker announced that he had referred Senate Joint Resolution No. 489 to the Committee on Calendar.

**Senate Joint Resolution No. 490** -- Memorials, Death -- Tommy C. Stiner.

The Speaker announced that he had referred Senate Joint Resolution No. 490 to the Committee on Calendar.

**Senate Joint Resolution No. 491** -- Memorials, Death -- Thomas Paul Pemberton.

The Speaker announced that he had referred Senate Joint Resolution No. 491 to the Committee on Calendar.

**Senate Joint Resolution No. 492** -- General Assembly, Statement of Intent or Position -- Urges FCC, major cellular providers, and FBI to work with correctional officers to address issue of contraband cell phones in prisons.

The Speaker announced that he had referred Senate Joint Resolution No. 492 to the Committee on State and Local Government.

**Senate Joint Resolution No. 493** -- Memorials, Retirement -- Dr. Gary Weedman.

The Speaker announced that he had referred Senate Joint Resolution No. 493 to the Committee on Calendar.

**Senate Joint Resolution No. 494** -- Constitutional Amendments -- Proposes additional language in Article II, Section 28 to prohibit the general assembly from levying or permitting any state or local tax upon income derived from stocks and bonds that are not taxed ad valorem.

The Speaker announced that he had referred Senate Joint Resolution No. 494 to the Committee on Judiciary.

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**Senate Resolution No. 144** -- Memorials, Death -- Senator Ray Albright.

The Speaker announced that he had referred Senate Resolution No. 144 to the Committee on Calendar.

**Senate Resolution No. 145** -- Memorials, Recognition -- Justin J. Pearson.

The Speaker announced that he had referred Senate Resolution No. 145 to the Committee on Calendar.

**RECALL OF BILL**

On motion of Senator Watson, **Senate Bill No. 1086** was recalled from the Committee on Finance, Ways and Means.

**REFERRAL OF BILL**

Senator Watson moved that Senate Bill No. 1086 be rereferred to the Committee on Commerce and Labor, which motion prevailed.

**RECALL OF BILL**

On motion of Senator Briggs, **Senate Bill No. 850** was recalled from the Committee on Health and Welfare.

**WITHDRAWAL OF BILL**

On motion of Senator Briggs, Senate Bill No. 850 was withdrawn from the Senate.

**APPOINTMENT OF SPEAKER PRO TEMPORE**

Pursuant to Rule 3, Senator Ferrell Haile of Sumner County was appointed Speaker Pro Tempore.

**APPOINTMENT OF DEPUTY SPEAKER**

Senator Janice Bowling of Coffee County was appointed Deputy Speaker.

**MOTION**

Senator Norris moved the Proposed Schedule for the week of January 22, 2018, be adopted and made the action of the Senate, which motion prevailed.

**TENNESSEE STATE SENATE  
110th GENERAL ASSEMBLY**

**PROPOSED SCHEDULE  
FOR THE WEEK OF JANUARY 22, 2018**

**MONDAY – January 22**

**4:00 p.m.**

**Session – Senate Chamber**

**THURSDAY, JANUARY 18, 2018 -- 42ND LEGISLATIVE DAY**

**TUESDAY – January 23**

8:30 a.m.	Finance, Ways & Means Committee (immediately following Investigations & Oversight Subcommittee)
10:30 a.m.	State & Local Government Committee
12:30 p.m.	Lunch
1:30 p.m.	Commerce & Labor Committee
3:30 p.m.	Judiciary Committee

**WEDNESDAY – January 24**

<b>8:30 a.m.</b>	<b>Session – Senate Chamber</b>
10:00 a.m.	Government Operations Committee
11:00 a.m.	Transportation & Safety Committee
12:00 noon	Lunch
1:00 p.m.	Maintenance of Certification Task force of Finance, Ways & Means
2:00 p.m.	Education Committee

**THURSDAY – January 25**

<b>8:30 a.m.</b>	<b>Session – Senate Chamber</b>
9:30 a.m.	Energy, Agriculture & Natural Resources Committee

**OTHER MEETINGS**

**Monday, January 22, 2018**

- Education, Health & General Welfare Joint Subcommittee of Government Operations at 11:00 a.m., in House Hearing room III.
- Council on Pensions & Insurance, at 1:00 p.m., in House Hearing room III.

**Thursday, January 25, 2018**

- Judiciary & Government Joint Subcommittee of Government Operations at 10:30 a.m., in House Hearing room III.

**MOTION**

On motion of Senator Swann, his name was added as prime sponsor of **Senate Bill No. 201**.

On motion of Senator Overbey, his name was removed as sponsor of **Senate Bill No. 201**.

On motion of Senator Pody, his name was added as prime sponsor of **Senate Bill No. 749**.

On motion of Senator Beavers, her name was removed as sponsor of **Senate Bill No. 749**.

On motion of Senator Pody, his name was added as prime sponsor of **Senate Bill No. 752**.

On motion of Senator Beavers, her name was removed as sponsor of **Senate Bill No. 752**.



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On motion of Senator Pody, his name was added as prime sponsor of **Senate Bill No. 758.**

On motion of Senator Beavers, her name was removed as sponsor of **Senate Bill No. 758.**

On motion of Senator Pody, his name was added as prime sponsor of **Senate Bill No. 772.**

On motion of Senator Beavers, her name was removed as sponsor of **Senate Bill No. 772.**

On motion of Senator Dickerson, his name was added as sponsor of **Senate Bill No. 1510.**

**MESSAGE FROM THE HOUSE**

January 18, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 598, adopted, for the Senate's action.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

January 18, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 601, 602 and 604; adopted, for the Senate's action.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

January 18, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 465, 467, 468, 469, 470, 471, 473, 474, 475 and 476; concurred in by the House.

TAMMY LETZLER,  
Chief Clerk

**ENROLLED BILLS**

January 18, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 465, 467, 468, 469, 470, 471, 473, 474, 475 and 476; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**THURSDAY, JANUARY 18, 2018 -- 42ND LEGISLATIVE DAY**

**SIGNED**

January 19, 2018

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 465, 467, 468, 469, 470, 471, 473, 474, 475 and 476.

**MESSAGE FROM THE HOUSE**

January 19, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 465, 467, 468, 469, 470, 471, 473, 474, 475 and 476; signed by the Speaker.

TAMMY LETZLER,  
Chief Clerk

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, January 22, 2018: Senate Joint Resolutions Nos. 480, 481, 484 and 485; Senate Resolutions Nos. 140, 141, 142 and 143; and House Joint Resolutions Nos. 582, 584, 585, 586, 587, 588, 589, 590, 592, 594 and 595.

This the 18th day of January, 2018  
ROBERTS, Chairperson

**ADJOURNMENT**

Senator Norris moved the Senate adjourn until 4:00 p.m., Monday, January 22, 2018, which motion prevailed.